

6342-0039-2 PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TOSHIYUKI FUTAKATA ET AL. : GROUP ART UNIT: 2611  
SERIAL NO: 09/446,888 :  
December 30, 1999 : EXAMINER: KUMAR, PANKAJ  
FOR: METHOD OF ASSIGNMENT AND TRANSMISSION OF SPREAD SIGNALS IN  
DIRECT SECQUENCE SPREAD SPECTRUM CDMA MOBILE COMMUNICATION  
SYSTEM, MOBILE COMMUNICATION SYSTEM, AND TRANSMITTER, REEIVER  
AND TRASNMITTER/RECEIVER OF MOBILE COMMUNICATION SYSTEM

**PETITION UNDER 37 C.F.R. § 1.181**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

SIR:

Applicants respectfully petition in accordance with 37 C.F.R. §1.181 that the information disclosure statement (IDS) filed on November 28, 2007 be considered and that the accompanying PTO 1449 form be signed and returned indicating consideration of the references contained in that IDS.

37 C.F.R. §1.181 allows for the petition to the Commissioner for any action or requirement of the examiner in the *ex parte* prosecution of an application.

In the present case, the IDS filed on November 28, 2007 was filed with the fee required under 37 C.F.R. §1.17(p) and did certify that each item of information contained in the filed IDS was first cited in a communication with a counterpart foreign patent office not more than three months prior to filing the IDS. Accordingly, under 37 C.F.R. §1.97(d) and (e), the IDS should be considered. However, at this point in time, the Patent Office Patent

Consequently, it is respectfully submitted that this Petition under 37 C.F.R. §1.181 be granted and that the IDS of November 28, 2007 be considered and acknowledged.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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